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Attorneys for Defendant,
Weican Null Meng

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ZHANG ZIYI, an individual,

Plaintiff,

vs.

CHINA FREE PRESS, INC., a North
Carolina non-profit corporation doing
business as BOXUN NEWS; WEICAN
NULL MENG, an individual known as
WATSON MENG and also WEICAN
“WATSON” MENG; DOES 1-25,
inclusive,

Defendants.

Case No. CV12-5216-DMG (PLAX)

**DEFENDANT WEICAN NULL
MENG’S NOTICE OF SPECIAL
MOTION TO STRIKE UNDER
CALIFORNIA CIVIL
PROCEDURE
§ 425.16**

Date: Sept. 21, 2012
Time: 9:30 a.m.
Courtroom 7

NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE
NOTICE THAT:

On September 21, 2012, at 9:30 a.m., in the courtroom of the Honorable
Dolly M. Gee (Courtroom 7), Defendant Weican “Watson” Null Meng (“Meng”)
will and hereby does move to strike Plaintiff’s Complaint under California Civil

1 Procedure Code § 425.16 (California's Anti-SLAPP statute) and seeks the pending
2 action's dismissal, as well as costs and reasonable attorney's fees.

3 Meng seeks dismissal of the Complaint under § 425.16 because 1) his
4 conduct was made in furtherance of his rights of petition or free speech pursuant to
5 Cal Civ. P. Code § 425.16(b)(1); 2) Meng's speech was connected to an issue of
6 public interest; and 3) Meng's speech is protected by the First Amendment.

7 Additionally, Plaintiff is a public figure, and is therefore subject to the actual
8 malice standard as laid out in *New York Times Co. v. Sullivan*, 376 U.S. 254, 280-
9 82 (1964). Plaintiff cannot show a probable chance of satisfying the actual malice
10 standard by clear and convincing evidence. Furthermore, Meng's sources are
11 entitled to anonymity, as disclosing their identities is potentially dangerous given
12 the current political climate in China. For these reasons, Meng respectfully
13 requests that this motion be granted.

14 This Motion is based on this Notice; the accompanying Memorandum of
15 Points and Authorities; the Declarations of Weican "Watson" Null Meng, Ye
16 "Ken" Wang, Mary Hausch, and J. Malcolm DeVoy; the news articles attached
17 hereto within Exhibit A; and such other authorities and argument as may be
18 submitted in any reply at or before the scheduled September 21, 2012 hearing.

19 This Motion is made following the conference of counsel pursuant to Local
20 Rule 7-3, which took place from August 10-14, 2012.

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2 Dated: August 20, 2012

Respectfully Submitted,

RANDAZZA LEGAL GROUP

3 By: /s/ Marc J. Randazza

4 Marc J. Randazza

5 Jason A. Fischer

6 Attorneys for Defendant

7 Weican "Watson" Null Meng
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CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that I am a representative of Randazza Legal Group and that on this 20th day of August, 2012, I caused the document(s) entitled:

**DEFENDANT WEICAN NULL MENG'S NOTICE OF SPECIAL MOTION
TO STRIKE UNDER CALIFORNIA CIVIL PROCEDURE § 425.16**

and all attachments to be served on counsel for all parties by the Court's CM/ECF system.

/s/ Marc J. Randazza

Marc J. Randazza